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Date: March 8, 2005

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#21156/223644-001194

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Applicant : Zimmerman *et al.*
Filing Date : January 13, 2004
Appl. No. : 10/747,647
Examiner : CINTINS, Ivars C.
Art Unit : 1724

Docket No. : 223644-001194 (P5231DIV)
Customer No.: 28465

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

VIA FACSIMILE ONLY: 703-872-9306

**FOLLOW-UP CORRESPONDENCE
CONCERNING EXAMINER INQUIRY
ON STATUS OF AMENDMENT AND RESPONSE**

Sir:

This correspondence is necessitated and follows-up on the March 8, 2005 telephone inquiry by Examiner Ivars Cintins to the undersigned counsel concerning the status of the non-final office action issued by Examiner Cintins on September 3, 2004. After review of counsel's files, the undersigned contacted Examiner Cintins and informed him that the September 3, 2004 was received by counsel and an Amendment and Response was filed with the Office by first class U.S. Mail on October 29, 2004. OIPE acknowledged receipt of the response on November 1, 2004 through a date stamp on the enclosed postcard. Examiner Cintins requested that we provide copies of the amendment and response, the post card, and other documents filed on October 29, 2004.

Please therefore find attached to this correspondence copies of the following documents, filed by first class mail on October 29, 2004:

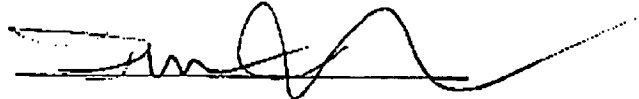
1. Photocopy of submitted postcard, including November 1, 2004 OIPE date stamp (1 page);
2. Photocopy of check for terminal disclaimer (1 page);
3. Photocopy of Amendment and Response (7 pages); and
4. Photocopy of Terminal Disclaimer (2 pages).

Applicant's counsel believes that the following amendment and terminal disclaimer should be entered as they were timely and properly filed within the shortened statutory period for response. The Office and Examiner Cintas are directed to contact the undersigned if there are any remaining questions or concerns.

Counsel does not believe that any fees are due at this time. If any such fees are due, the Office is authorized to debit Deposit Account Number 18-2284. Please note that the name of the undersigned counsel of record's firm has changed.

Respectfully submitted,

DLA PIPER RUDNICK GRAY CARY LLP



Thomas W. Ryan

Reg. No. 43,072

Telephone: (312) 368-4058

Dated: March 8, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

USPTO Acknowledges Receipt of: Amendment and Response and Terminal Disclaimer to Obviate a Double Patenting Rejection (37 CFR 1.321(c))

Client: Ecowater Systems, Inc.

For: CONTROLLER FOR SALT DOSAGE FOR A WATER SOFTENER AND A METHOD OF REGENERATING A WATER SOFTENER

Our Ref. No.: 223644-001194 (P5231DIV-Subcase 3)

Filing Date: January 13, 2004

Serial No.: 10747,647

Confirmation No.: 3944

Enclosures:

- (1) Amendment and Response w/certificate of mailing by first class mail included thereon (7 pages)
- (2) Terminal Disclaimer to Obviate a Double Patenting Rejection (37 CFR 1.321(c)) (2 pages) * DUPLICATE
- (3) Check in the amount of \$110
- (4) Return receipt postcard

Mailed via First Class Mail on October 29, 2004

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